

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

March 18, 2013
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Lee, Deputy Mayor Robertson and Councilmembers Balducci, Chelminiak, Davidson, Stokes, and Wallace

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:05 p.m., with Mayor Lee presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Councilmember Stokes led the flag salute.

3. Communications: Written and Oral

- (a) Madeline Washburn, Antoine Gello, and Onica Summers announced upcoming productions of the Bellevue Youth Theatre. They thanked the Council for its support and for the new facility planned at Crossroads Park.
- (b) Jack McCullough, speaking on behalf of LA Fitness, recalled that the company acquired the former Bally's in the Eastgate area which ultimately went out of business. He said some individuals have expressed an interest in the property for car dealerships. He recalled that he attended nearly all of the Eastgate/I-90 Citizen Advisory Committee meetings over 18 months. He encouraged approval of the Land Use Code Amendment to allow auto retail sales in the Office/Limited Business (OLB) district.
- (c) Joe Rosmann spoke regarding the East Link light rail project. He said he submitted a public information request to the City on February 14 asking for a number of documents. He has received only one document. He asked the Council to look into the matter.
- (d) Sam Bellomio, StandUP-America, requested a public hearing about red light cameras. He expressed concern that 65 percent of the revenues generated go to the King County District Court. An additional amount is paid to the camera vendor. Mr. Bellomio asked

the Council to support Mercer Island in its efforts to oppose tolling on I-90. He said it is illegal and unethical to fund a state project by tolling a federal highway. He requested a response from the Council about its rationale for red light cameras. He said the number of accidents has not decreased with the cameras.

- (e) Alex Zimmerman, StandUP-America, said he went to court the previous week for his 28th ticket in Bellevue. He said the officer told him that he has a quota of writing 15 tickets per day. He said this is racketeering. He asked the Council to open dialogue with the community to discuss traffic issues, which affect everyone. He said that Councilmembers do not like when he calls them imbeciles or idiots but that it is okay to call them corrupt crooks.

Mayor Lee said it is inappropriate for Mr. Zimmerman to say that Councilmembers are corrupt. Mr. Lee encouraged citizens to be civil and to not make personal attacks.

- (f) Steve Hoffman thanked the Council for its efforts. He serves on the Little League Thunderbird Board in South Bellevue. He said Republic Services has been a league sponsor for many years and provides educational sessions with youth about recycling. He encouraged the Council to consider the company's civic involvement in developing the next recycling and garbage services contract.
- (g) Putter Bert, Executive Director of KidsQuest Children's Museum, spoke in support of Republic Services, which partners with the museum and provides recycling education. The museum hopes to expand into downtown. She encouraged the City to consider negotiating a contract with Republic Services.
- (h) Paul Lwali, Executive Director of the Bellevue YMCA, expressed support for Republic Services, which has been a great community partner in demonstrating social responsibility and supporting projects.
- (i) Thomas Wray, a business representative of Teamsters Local 117, said the City's request for proposal (RFP) must include prevailing wage, regardless of the vendor chosen for the next recycling and sanitation contract. If not, the City could in effect give an unfair advantage to a company that does not pay a livable and sustainable wage.

4. Reports of Community Council, Boards and Commissions: None.

5. Report of the City Manager

- (a) Old Bellevue Urban Boulevards Project

City Manager Steve Sarkozy introduced a briefing on the Old Bellevue Urban Boulevards project.

Patti Wilma, Community Development Planning Manager, said the Old Bellevue streetscape project was initiated last June when merchants spearheaded a cleanup effort on Main Street and

improved landscaping. This triggered the creation of a residents association and the Old Bellevue Merchants Association. Staff has been working with these two groups to involve the community in identifying its vision for the area. Feedback indicating the desired characteristics of inviting, timeless, understated, classic, and established has been used to create a new brand/image for Old Bellevue.

Ms. Wilma showed examples of streetscape elements including gateway signage, seating, landscaping, and distinctive decorative features (e.g., street sign toppers and a public clock). Staff is working with citizens to refine the designs and to prioritize expenditures within the \$70,000 allocated for the project. Installation of the features is slated to be completed in May. She said staff will bring this forward during the Downtown Livability discussions to demonstrate a successful neighborhood/commercial district branding project.

Responding to Councilmember Davidson, Ms. Wilma said staff believes a similar approach would work well in other areas (e.g., Ashwood area of the Downtown).

Councilmember Balducci expressed support for the project and for expanding its application to other areas.

Councilmember Stokes expressed support for the project and noted that he has been involved with Old Bellevue residents and merchants to bring the Farmers Market to that area. He said similar efforts have been successful in Denver as well.

Councilmember Wallace suggested that this as an opportunity to address future connections between Meydenbauer Bay and the Downtown core. He encouraged appropriate wayfinding to assist visitors.

Deputy Mayor Robertson said this is a great collaboration between Old Bellevue merchants, residents and the City. She observed that the cost is relatively low compared to the benefits. She expressed support for including this in the Downtown Livability Study discussions and planning. Ms. Robertson said she hopes that the City is considering materials that will be resistant to graffiti and/or make it easier to remove graffiti.

Mayor Lee commended staff and the community on the project.

Moving on, Mr. Sarkozy noted Agenda Item 8(c), which is a series of contracts for building plan review services to be used as needed as development activity recovers. He noted the importance of fast and predictable plan review in maintaining the City's appeal for development.

Mayor Lee said this is a good preparation for economic recovery and for the City to be poised to facilitate development as it resumes.

Mr. Sarkozy noted Agenda Item 8(e) regarding the next periodic upgrade to the JD Edwards Enterprise One application.

6. Council Business and New Initiatives

Councilmember Chelminiak reported that he met with a Bellevue resident and businessman who is working to improve web site accessibility beyond the ADA compliance level for vision-impaired users.

Mr. Chelminiak attended a meeting of the Trade Development Alliance.

Councilmember Davidson recalled that he requested a legal opinion on permitting issues related to the East Link light rail project. He requested clarification regarding the City Attorney's response.

Lori Riordan, City Attorney, explained that if Councilmember Davidson wants to request that the Council, as a whole, take up the matter of waiving privilege and releasing the legal opinion, he or another Councilmember would need to make a motion to that effect.

Dr. Davidson suggested revisiting the issue the following week.

Deputy Mayor Robertson attended meetings of the Puget Sound Regional Council (PSRC) Transportation Policy Board's prioritization working group and Sound Transit's East Link Leadership Group and Staff Steering Committees. She and Mayor Lee attended the Overlake Hospital Medical Center Bandage Ball.

Ms. Robertson asked the Council to consider the Mayor's list of proposed members for the Downtown Livability Advisory Committee provided in Council's desk packet. She noted that the Mayor would like to add a Downtown technology employer representative as the 15th member. She said the Mayor spoke with Expedia, which recommended Dave Sutherland, Vice President of Planning and Analytics, to fill that seat.

- Deputy Mayor Robertson moved to approve the appointments to the Downtown Livability Advisory Committee as listed in the desk packet, with the addition of Mr. Sutherland. Councilmember Wallace seconded the motion.

Councilmember Balducci noted her previous request that the Council consider including someone who served on the original Downtown Implementation Plan advisory committee. She asked the Mayor and Council to be open to the potential for adding one more member in the future.

Mayor Lee thanked Ms. Balducci and indicated that the Council will add members as it seems fit.

Ms. Robertson asked staff to send Council the list of past Downtown Implementation Plan committee members.

- The motion carried by a vote of 7-0.

Deputy Mayor Robertson asked staff to send letters to the appointees. She said the first meeting is slated for June.

Moving on, Ms. Robertson noted a draft letter in the desk packet from the Washington Technology Cities Coalition to state legislators. The letter encourages support of transportation infrastructure, K-12 and higher education STEM standards, and competitiveness issues (i.e., economic development tools and regulatory reform) to support growth in the tech sector.

Ms. Robertson said the letter supports the renewal of the B&O and Sales tax incentives for research and development spending and construction, which are due to sunset in 2015.

- Deputy Mayor Robertson moved to authorize the Mayor to sign the Washington Technology Cities Coalition letter on behalf of the City of Bellevue. Councilmember Wallace seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Stokes reported that he attended his first meeting of the Eastside Transportation Partnership (ETP). He met with King County Councilmember Jane Hague, who is also the Vice Chair for Regional Issues. He noted that he is now a member of the Regional Policy Committee. He completed the four-day Executive Leadership Institute held by Leadership Eastside.

Councilmember Wallace attended meetings of the Eastside Transportation Partnership, Cascade Water Alliance public affairs committee, and the Bellevue Chamber of Commerce transportation committee.

Mr. Wallace requested that approval of the minutes on the Consent Calendar be deferred until the next Regular Session. He would like more time to review them.

Mayor Lee reported that he attended the National League of Cities conference. He noted that he chairs the Western Municipal Association, which consists of 12 western states. He said the NLC is heavily dominated by eastern states.

Mr. Wallace noted support for Councilmember Balducci's request to add a former member of the Downtown Implementation Plan committee to the Downtown Livability Advisory Committee.

7. Approval of the Agenda

- Deputy Mayor Robertson moved to approve the agenda, and Councilmember Stokes seconded the motion.
- The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

→ Deputy Mayor Robertson moved to approve the Consent Calendar, with the exception of Item (a), Minutes. Councilmember Chelminiak seconded the motion.

→ The motion to approve the Consent Calendar, as amended, carried by a vote of 7-0, and the following items were approved.

(b) Resolution No. 8538 authorizing execution of documents for the acquisition of property rights from SPIX/BALL LLC, in an amount not to exceed \$55,690, and for the acquisition of property rights from Vasa Park Home Association of Washington, in an amount not to exceed \$74,683, for construction of CIP Project No. PW-R-141, West Lake Sammamish Parkway SE, Phase 1, I-90 Roundabout to SE 34th Street.

(c) Resolutions for Professional Services Agreements for Building Plan Review Services

Resolution No. 8539 authorizing execution of an amendment to the professional services agreement with Reid Middleton, Inc., increasing the total contract amount from \$50,000 to \$350,000, for building plan review services;

Resolution No. 8540 authorizing execution of an amendment to the professional services agreement with Lani O'Connor, increasing the total contract amount from \$50,000 to \$150,000, for building plan review services;

Resolution No. 8541 authorizing execution of an amendment to the professional services agreement with Kolke Consulting, increasing the total contract amount from \$50,000 to \$150,000, for building plan review services;

Resolution No. 8542 authorizing execution of an amendment to the professional services agreement with Geo Engineers, increasing the total contract amount from \$50,000 to \$150,000, for building plan review services; and

Resolution No. 8543 authorizing execution of a professional services agreement with Maffei Structural Engineering, in an amount not to exceed \$300,000, for building plan review services.

(d) Resolutions for Professional Services Agreements for Business Audits for Tax Compliance

Resolution No. 8544 authorizing execution of a two-year professional services agreement with R. Lee Springer, with the option to renew for an additional two years, in a total amount not to exceed \$200,000, to perform audits of businesses to determine compliance with the tax chapters of the Bellevue City Code;

Resolution No. 8545 authorizing execution of a two-year professional services agreement with Anthony Kopezynski, with the option to renew for an additional

two years, in a total amount not to exceed \$200,000, to perform audits of businesses to determine compliance with the tax chapters of the Bellevue City Code; and

Resolution No. 8546 authorizing execution of a two-year professional services agreement with Roberto de las Alas, with the option to renew for an additional two years, in a total amount not to exceed \$200,000, to perform audits of businesses to determine compliance with the tax chapters of the Bellevue City Code.

- (e) Resolution No. 8547 authorizing execution of a professional services agreement with Denovo Ventures, LLC, in an amount not to exceed \$210,000, for configuration, consulting and programming services for the upgrade of the JD Edwards Enterprise One Application.
- (f) Resolution No. 8548 authorizing execution of an Enterprise License Agreement with Environmental Systems Research Institute, Inc. (Esri), in an amount not to exceed a total of \$300,000, for the licensing and deployment of Geographic Information Systems (GIS) mapping software and services for the City, including training and technical support.
- (g) Resolution No. 8549 authorizing execution of Amendment No. 3 to the Marymoor Park Interlocal Agreement with King County, a political subdivision of the State of Washington, in an amount not to exceed \$315,176 for a five-year term, for the maintenance and operation of the Bellevue/King County Marymoor Ballfield Complex.
- (h) Resolution No. 8550 authorizing: 1) execution of the King County Investigative Response Team (KCIRT) Interlocal Agreement between the City and the Washington State Patrol, the King County Sheriff, and the cities of Black Diamond, Bothell, Issaquah, Kirkland, Mercer Island, Redmond and Snoqualmie to provide mutual aid and mobilization in the event of a law enforcement involved fatality or serious injury incidents; and 2) repealing Resolution No. 8433 approving the execution of a KCIRT Interlocal Agreement and declaring said KCIRT Interlocal Agreement executed by the City, null and void.
- (i) Resolution No. 8551 authorizing signature and certification of the annual report documents, City of Bellevue 2012 Compliance Report and 2013 Stormwater Management Program, required by the National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit for submittal to the Washington State Department of Ecology by the March 31, 2013 deadline.
- (j) Resolution No. 8552 authorizing approval of payment in the amount of \$35,532.63 for a Release of All Claims in final settlement of a claim against the City for property damage to the Poseukov/Tayko residence caused when a water main was accidentally damaged by the City Surface Water crews during

installation of a new drainage structure.

Item postponed:

- (a) Minutes of January 3, 2013 Legislative Breakfast
- Minutes of February 19, 2013 Study Session
- Minutes of February 19, 2013 Regular Session
- Minutes of February 25, 2013 Extended Study Session

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session

At 9:15 p.m., Mayor Lee declared recess to Executive Session for approximately one hour to discuss one personnel matter.

16. Adjournment

The Executive Session concluded at 10:45 p.m. and the meeting was adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw